

REMARKS

The foregoing Amendment and remarks that follow are made in response to the Office Action mailed September 5, 2003.

Changes in the Specification

The Specification has been amended to remove reference numerals 5, 63 and 64. Furthermore, page 9, line 15 of the specification has been amended to change "selectable icons 160" to --selectable icons 60A - 60D--. Applicants respectfully submit that no new matter has been introduced with these amendments.

Drawing Corrections

The drawing figures have been corrected to correct the minor informalities. Specifically, Figure 3 has been amended to include reference numeral 310 and Figure 5 has been amended to include reference numerals 40 - 50. No new matter has been introduced. Approval of the corrections is respectfully requested.

Pending Claims

Claims 1-46 have been canceled. Claims 47-74 have been added.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 15, 42, and 43 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In view of the cancellation of claims 15, 42 and 43 this rejection is rendered moot.

Art Rejection

By the present amendment, Applicants have canceled original claims 1- 46 and added new claims 47-74 to more clearly recite the novel and unobvious aspects of the present invention. Specifically, new claim 47 is directed toward a graphical user interface for creating a recordable media from media files with a computer. The user interface includes a window frame defining a pane having a common theme, as well as a plurality of control buttons displayed on the frame. The user interface further includes a selectable icon indicating the common them and correlated to a respective media file. In this respect, the selectable icon indicates the media file that is to be recorded onto the recordable medium. The user interface described by claim 47 facilitates a user to create recordable media in a fun manner by visually displaying the media files to be recorded on the media with the common theme. New claims 48-55 are dependent upon claim 47 and add further limitations thereto such as describing the manner in which the selectable icon operates and the type of recordable media that is used.

New independent claim 56 is directed toward a computer readable medium for creating recordable media from media files. The computer readable medium contains instructions for generating a window frame defining a pane having a common theme and generating a plurality of control buttons that are displayed on the frame. Furthermore, the computer readable medium contains instructions for generating a selectable icon indicating the common theme and that is correlated to a respective media file. Accordingly, the selectable icon indicates the media file to be recorded onto the medium. New claims 57-65 are dependent upon claim 56 and add further limitations thereto. New independent claim 66 is a method claim corresponding to claim 56, while claims 67-74 are dependent upon claim 66.

In the Office Action, original claims 1-5, 10-12, 18, and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Straub et al. (U.S. Pat. No. 6,091,411). As understood, Straub discloses a system and method for displaying a theme that is updated by a remote computer. In this respect, Straub discloses updating themes of an operating system using a remote computer. The theme is applied to the elements (e.g., recycle bin icon, mouse pointer, my computer icon etc...) of the operating system for the user interface. Straub discloses techniques for updating the appearance of the elements with themes by using a remote computer. Straub is not concerned with the type of elements that are updated with the theme, but how the elements are updated.

Applicants respectfully submit that claims 47-74 are not anticipated by Straub because Straub does not disclose having a selectable icon indicating the common theme and

that is correlated to a media file to be recorded onto the recordable media. As described in independent claims 47, 56, and 66, the user interface of the present invention includes a selectable icon that is used to represent the media file that is to be recorded onto the media. The selectable icon indicates the common theme of the user interface as well as the media file to be recorded. There is no disclosure within Straub teaching or suggesting a selectable icon that has a common theme and represents the media file to be recorded onto the recordable media. As previously discussed, Straub is concerned with updating the icons of an operating system to the common theme from a remote computer. Accordingly, Straub does not disclose the selectable icon indicating the common theme and correlated to the media file. As such, Applicants respectfully submit that claims 47-74 are not anticipated by Straub.

Furthermore, Applicants respectfully submit that claims 47-74 are not anticipated by Straub in combination with Crow (U.S. Pat. No. 6,262,724), Johnston, Jr (U.S. Pat. No. 5,959,624), Alten (U.S. Pat. Appl. Pub. No. US 2002/0005907 A1), Weidner (U.S. Pat. No. 6,205,112), Kinney (U.S. Pat. No. 5,808,662), Bates (U.S. Pat. No. 5,371,846), Gudmundson (U.S. Pat. No. 5,680,619) or Keller (U.S. Pat. No. 6,172,948). Specifically, none of the references combined with Straub disclose the selectable icon indicating the common theme and correlated to the media file to be recorded onto the recordable media. As such, Applicants respectfully submit that claims 47-74 are in condition for allowance.

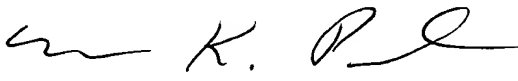
Conclusion

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance. Such allowance is respectfully requested.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at (650) 622-2300.

Respectfully submitted,

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